

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 14, 2000**

## DIVISION TWO

B124533      Fogarty      (Certified for Publication)  
v.  
Rasbeary

The judgment is affirmed.

Nott, Acting P.J.

We concur: Cooper, J.  
Mallano, J. (Assigned)

B130594      Weling      (Not for Publication)  
v.  
Travelers Corp., et al.

The judgment appealed from is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Mallano, J. (Assigned)

B127672      Clarendon National Insurance Co.      (Not for Publication)  
v.  
London American General Agency et al.

The judgment appealed from is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                  Mallano, J. (Assigned)

March 14, 2000-Continued

## DIVISION TWO (Continued)

[illegible]

The judgment appealed from is affirmed.

Nott, J.

I concur: Boren, P.J.  
I dissent: Mallano, J. (Assigned) (Opinion)

B132644 People v. Kirk (Not for Publication)

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B132028 People (Not for Publication)  
v.  
Alfredo M.

The order of wardship is reversed.

Nott, J.

We concur: Boren, P.J.  
Mallano, J. (Assigned)

March 14, 2000-Continued

## DIVISION TWO (Continued)

B133295 People (Not for Publication)  
v.  
Benjamin S.

The order of wardship is affirmed.

Nott, Acting P.J.

We concur: Cooper, J.  
Mallano, J. (Assigned)

### DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B124748 A-Way Electric Co. v. Chartered Construction Corp.  
B124993 Sanchez v. Nourdjahan  
B128330 People v. Sherman  
B124383/B137664 People v. Jin  
B135853 People v. Magyari  
B129721 People v. DeLeon  
B131163 People v. Broadknoxx  
B132825 People v. Glover  
B025712 People v. Payne  
B133323 People v. Argueta  
B131730 People v. Scruggs  
B133014 Kuzman v. A. Testoni, Inc.  
B122554 People v. Plascencia  
B131390 People v. Chab H.  
B130886 People v. Christopher K.  
B132715 People v. Fyke  
B123062 People v. Miranda  
B129645 People v. Butts

DIVISION THREE (Continued)

Each of the following (continued):

B129492 People v. Arias  
B128674 People v. Romero  
B125760 People v. Williams  
B112962 People v. Oliver  
B124018 People v. Renfro

Argument waived, cause submitted.

B120032     Burdette  
              v.  
              Burdette

Merits:

Argued by Stuart B. Esner for appellants and by John Amberg for respondents. Cause submitted.

B135096     Dakota  
              v.  
              Aman

Merits:

Argued by Thomas Paine Dunlap for appellant and by JoAnn B. Makous for respondent. Supplemental letter brief due by the appellant on March 24, 2000 and reply by the respondent is due on March 31, 2000. Submission is deferred.

B129890     Ko  
              v.  
              Revere Financial Corporation

Merits:

Argued by Mitchel J. Ezer for appellant and by Lawrence J. Poteet and Morris S. Getzels for respondents. Cause submitted.

Court recessed at 11:15 A.M.

DIVISION THREE (Continued)

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B128181      Breslow  
B130994      v.  
                 7-11 Store et al.  
                 The Southland Corporation

Merits:

Argued by Raul L. Martinez for appellant and by Peter J. Godfrey for respondent. Cause submitted.

B118721      People  
                 v.  
                 Fischer

Merits:

Argued by Tracy Dressner for appellant and by William Ballough, deputy attorney general, for respondent. Cause submitted.

B126896      People  
                 v.  
                 Rodriguez

Merits:

Argued by David H. Goodwin for appellant and by Chung L. Mar, deputy attorney general, for respondent. Cause submitted.

B127912      Texas State et al.  
                 v.  
                 MeHaffey

Merits:

Argued by Thomas E. Kendall for appellant and by Nancy K. Ruffolo, deputy district attorney, for respondents. Cause submitted.

DIVISION THREE (Continued)

B125467     Poll  
              v.  
              Olson

Merits:

Argued by Stuart B. Esner for appellant and by Rene Tovar for respondent.  
Cause submitted.

Court adjourned at 3:00 P.M.

DIVISION FOUR

B133225     Los Angeles County, D.C.F.S.     (Not for Publication)  
              v.  
              Melissa D.

The order is affirmed.

Vogel (C.S.), P.J.

We concur:    Hastings, J.  
                      Curry, J.

B132273     People                                     (Not for Publication)  
              v.  
              Robinson

For the foregoing reasons, the judgment is affirmed.

Epstein, J.

We concur:    Vogel (C.S.), P.J.  
                      Hastings, J.

March 14, 2000-Continued

DIVISION FIVE

B131832      People                                  (Not for Publication)  
v.  
Carlos Izaguirre

The judgment is affirmed.

Weisman, J. (Assigned)

We concur:   Turner, P.J.  
                     Grignon, J.

B136095      PMC, Inc.      (Certified for Publication)  
v.  
Neil Kadisha et al.

The judgment is reversed. Plaintiffs are to recover their costs on appeal, jointly and severally, from defendants.

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

DIVISION SIX

[illegible]

The judgment is affirmed. Costs to respondent.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

March 14, 2000-Continued

## DIVISION SIX (Continued)

B125978      Hobbs      (Not for Publication)  
v.  
City of Azusa

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

B131397      Engineers and Technicians Association      (Not for Publication)  
v.  
Santa Barbara Air Pollution Control District

The judgment is affirmed. Appellant to bear its costs on appeal.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

[illegible]

The judgment is modified to award appellant custody credits of 397 days (265 days of actual custody plus 132 days of conduct credits). In all other respects, the judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment and to forward a certified copy of the corrected abstract to the Department of Corrections.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

March 14, 2000-Continued

DIVISION SIX (Continued)

B133253      People                          (Not for Publication)  
v.  
Goss

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

B135977 People (Not for Publication)  
v.  
McCafferty

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.